United Nations A/ES-10/L.10

General Assembly

Distr.: Limited
2 August 2002

Original: English

Tenth emergency special session
Agenda item 5
Illegal Israeli actions in the Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Egypt, Qatar, Sudan and Palestine: draft resolution

Illegal Israeli actions in the Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Recalling its relevant resolutions, including the resolutions of the tenth emergency special session on the situation in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,

Recalling also Security Council resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002), the principle of land for peace, and welcoming the Arab initiative adopted by the Beirut Summit,

Reiterating the principle of the inadmissibility of the acquisition of territory by war,

Determined to uphold the purposes and principles of the Charter of the United Nations, international humanitarian law and all other instruments of international law, as well as relevant General Assembly and Security Council resolutions,

Having received the report of the Secretary-General on the recent events that took place in Jenin and in other Palestinian cities in the period from the beginning of March to 7 May 2002,

Reiterating its condemnation of the refusal by Israel, the occupying Power, to cooperate with the Secretary-General's fact-finding team to the Jenin refugee camp, in disregard of Security Council resolution 1405 (2002), and condemning the refusal by Israel to submit information for the preparation of the above-mentioned report of the Secretary-General,

Noting that as a result of the Israeli position, a full and complete account of the events in Jenin and in other Palestinian cities could not be obtained,

Taking note with indignation that Security Council resolutions 1402 (2002) and 1403 (2002) have not yet been fully implemented,

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Deeply concerned at the more recent reoccupation of Palestinian cities and other populated centres by the Israeli occupying forces, the imposition of the military siege on the headquarters of the President of the Palestinian Authority, the destruction of institutions of the Palestinian Authority and the prevailing hostilities between the two sides,

Gravely concerned also at the continuation of severe restrictions on the movement of persons and goods, the severe deterioration of the economic situation and the living conditions and dire humanitarian crisis facing the Palestinian people,

Reiterating the obligations of Israel, the occupying Power, to fully and effectively respect the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 in the Occupied Palestinian Territory, including Jerusalem, and noting that the Convention, which takes fully into account imperative military necessity, has to be respected in all circumstances,

Welcoming the convening of the Conference of High Contracting Parties to the Fourth Geneva Convention, as recommended by the General Assembly in its resolution ES-10/6 of 9 February 1999, and the statement adopted by the Conference, as well as the reconvening of the Conference on 5 December 2001 in Geneva and its valuable and important declaration,

Recalling the obligations of the High Contracting Parties to the Convention to respect and ensure respect for the Convention in all circumstances, in accordance with common article 1 of the Four Conventions,

Emphasizing the responsibilities under article 29 of the Fourth Geneva Convention, as well as personal responsibilities arising from the persistent violation and grave breaches of the Fourth Geneva Convention,

Recalling the relevant provisions of the Rome Statute of the International Criminal Court and the entry into force of the Statute,

Emphasizing the importance of the safety and well-being of all civilians in the whole Middle East region,

Welcoming the recently established international consensus on the two-State solution and the need for the establishment of the State of Palestine,

1. *Condemns* the atrocities committed by the Israeli occupying forces against Palestinian civilians in Jenin and other Palestinian cities, including unlawful killings; use of human shields; disproportionate use of force; arbitrary arrest and torture; and denial of medical treatment and access, some of which constitute grave breaches of the Fourth Geneva Convention;

2. *Demands* the withdrawal of the Israeli occupying forces from Palestinian cities and other populated centres towards the return to the positions held prior to September 2000, which would open the way to meaningful political dialogue;

3. *Demands also* the complete cessation of all acts of violence, including military actions, destruction and acts of terror against civilians;

4. *Expresses* its support for an international presence on the ground, which would help stabilize the situation, provide protection for Palestinian civilians and assist the parties in implementing agreements;

5. *Stresses* the need for the High Contracting Parties to follow up the implementation of the declaration adopted on 5 December 2001 by the Conference of High Contracting Parties to the Fourth Geneva Convention through concrete action, at the national, regional and international levels, to ensure respect by Israel, the occupying Power, of the provisions of the Convention;

6. *Stresses also* the need for necessary and appropriate action against violators of international humanitarian law, in particular perpetrators of war crimes;

7. *Calls* for the urgently needed assistance and services to help in alleviating the current dire humanitarian situation facing the Palestinian people and to assist in rebuilding and revitalizing the Palestinian economy, and expresses support for efforts in the reconstruction of the Palestinian Authority, the reform of Palestinian institutions and the holding of democratic and free elections;

8. *Reiterates* its support for the efforts of the quartet of the United States, the Russian Federation, the European Union and the United Nations, as well as the efforts of other interested parties, and calls upon the two sides to fully cooperate with those efforts in the implementation of initiatives and plans aimed at ending the current situation and resuming the peace process;

9. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States.

United Nations A/ES-10/L.11

General Assembly

Distr.: Limited
5 August 2002

Original: English

Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

South Africa: draft resolution

Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Recalling its relevant resolutions, including the resolutions of the tenth emergency special session on the situation in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,

Having received with interest the report of the Secretary-General prepared pursuant to General Assembly resolution ES-10/10 on the recent events that took place in Jenin and in other Palestinian cities in the period from the beginning of March to 7 May 2002,[1]

Strongly deploring the lack of Israeli cooperation in implementing Security Council resolution 1405 (2002), and in the preparation of the report,

Noting that a full and complete account of the events in Jenin and in other Palestinian cities could not be obtained,

Reiterating the obligation of Israel, the occupying Power, to fully and effectively respect the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] in the Occupied Palestinian Territory, including Jerusalem, and noting that the Convention, which takes fully into account imperative military necessity, has to be respected in all circumstances,

Gravely concerned at the tragic and violent events that have taken place since September 2000 and at the continued violence in the Occupied Palestinian Territory, including Jerusalem, as well as in Israel,

Gravely concerned also at the reoccupation of Palestinian cities, the continuation of severe restrictions on the movement of persons and goods, the

[1] A/ES-10/186.
[2] United Nations *Treaty Series*, vol. 75, No. 973.

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severe deterioration of the economic situation and the living conditions, together with the dire humanitarian crisis facing the Palestinian people,

Stressing the need to end the Israeli occupation,

Emphasizing the importance of the safety and well-being of all civilians in the whole Middle East region, and condemning all attacks against civilians on both sides,

1. *Takes note* of the report of the Secretary-General;[1]

2. *Demands* the immediate cessation of military incursions and all acts of violence, terror, provocation, incitement and destruction;

3. *Demands* the immediate withdrawal of the Israeli occupying forces from Palestinian population centres towards a return to the positions held prior to September 2000;

4. *Stresses* the need for all concerned parties to ensure the safety of civilians, and to respect the universally accepted norms of international humanitarian law;

5. *Emphasizes* the urgency of ensuring that medical and humanitarian organizations are granted unhindered access to the Palestinian civilian population at all times;

6. *Stresses* the need for the High Contracting Parties to follow up on the implementation of the declaration adopted on 5 December 2001 by the Conference of High Contracting Parties to the Fourth Geneva Convention;

7. *Calls* for the urgently needed assistance and services to help in alleviating the current dire humanitarian situation facing the Palestinian people and to assist in rebuilding and revitalizing the Palestinian economy, and expresses support for efforts in the reconstruction of the Palestinian Authority, the reform of Palestinian institutions and the holding of democratic and free elections;

8. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meetings upon request from Member States.